

Message Text

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42

ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 OIC-04 SSO-00 NSCE-00 INRE-00

USIE-00 AEC-11 AID-20 CEA-02 CIAE-00 CIEP-03 COME-00

DODE-00 EB-11 FEAE-00 FPC-01 H-03 INR-11 INT-08 L-03

NSAE-00 NSC-07 OMB-01 PM-07 RSC-01 SAM-01 SCI-06

SP-03 SS-20 STR-08 TRSE-00 FRB-03 AECE-00 PA-04 PRS-01

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E.O. 11652: N/A

TAGS: ENRG

SUBJECT: ECG: DRAFT PAPER ON INSTITUTIONAL PROBLEMS

1. FOLLOWING ISTEKT OF AID-MEMOIRE ECG/58 AMEMDED:

"INSTITUTIONAL PROBLEMS RELATED TO THE EXECUTION OF THE
COOPERATION PROGRAM IN THE FIELD OF ENERGY.

1. THE SUGGESTED PROGRAM, HAVING AN OPERATIONAL CHARACTER,
IT IS NECESSARY THAT IT COULD BE MANAGED IN EFFICIENCY
CONDITION AND A SATISFACTORY POLITICAL RESPONSIBILITY.

2. CONSIDERING THE POSSIBLE SOLUTIONS, A CHOICE BECOMES
APPARENT BETWEEN THE CREATION OF A NEW INSTITUTION OR
UTILIZING AN EXISTING INTERNATIONAL ORGANIZATION.
THE CREATION OF A NEW ORGANIZATION SEEMS TO CAUSE POLITICAL,
PRACTICAL AND LEGAL PROBLEMS WHICH DO NOT MAKE IT DESIRABLE
IF ANOTHER ALTERNATIVE AND ACCEPTABLE SOLUTION COULD BE FOUND.

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AMONG THE EXISTING INTERNATIONAL ORGANIZATION, ONLY THE

O.E.C.D. COULD BE SUITABLE. HOWEVER, THE OPERATIONAL CHARACTER OF THE PROGRAM MAKES RATHER FUNDAMENTAL ADAPTIONS OF THE ACTUAL ORGANIZATION NECESSARY.

3. CONSEQUENTLY, IT IS SUGGESTED THAT A FORMAL PROPOSITION SHOULD BE SUBMITTED TO THE OECD'S BOARD AND WHICH AIMS TO THE CREATION OF A SPECIAL WORKING GROUP DEVOTED TO ENERGY PROBLEMS. THIS GROUP WILL HEAR THE CHARACTERISTICS EXPLAINED IN THE ATTACHED DOCUMENT.

4. IF THE ORGANIZATION OF THE GROUP AS IT IS ENVISAGED IN THE ATTACHED DOCUMENT WILL NOT BE ACCEPTABLE BY THE OECD'S BOARD, THE SOLUTION OF CREATING A NEW INSTITUTIONS WILL BE CHOSEN.

1A. (ADDED) THE SPECIAL WORKING GROUP FOR ENERGY PROBLEMS AND ITS PROGRAM WILL BE SET UP BY A SPECIAL INTERGOVERNMENTAL AGREEMENT.

1B. (OLD) THE GROUP WILL HAVE A SPECIAL STATUTE WITHIN THE FRAMEWORK OF THE OECD; ITS BECOMING A PART OF THE OECD WILL BE BY A DECISION OF THE BOARD OF THAT ORGANIZATION.

2. PARTICIPANTS:

--ENERGY COORDINATION GROUP MEMBERS;

--OTHER MEMBERS OF THE OECD THAT ACCEPT THE PROGRAM OBLIGATION AND THE SPECIAL RULES OF THE GROUP, WHO WILL BE ABLE AND READY TO ACT TOGETHER WITH THE OTHER MEMEBERS OF THE SPECIAL WORKING GROUP FOR ENERGY PROBLEMS AND WHO ARE ACCEPTED BY IT UNANIMOUSLY.

--THE E.E.C.

IN CASE THAT IS TO BE JUDGED AS NECESSARY OR COULD ALSO FORECAST A STATUTE OF THE ASSOCIATED MEMBERS FOR THOSE COUNTRIES THAT ACCEPT THE PRINCIPAL POINTS OF THE PROGRAM WILL NOT BE READY TO ASSUME ITS
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OBLIGATION IMMEDIATELY. THIS STATUTE OF AN ASSOCIATED MEMEBR WOULD ALLOW A FURTHER CONSULTATION OF THOSE COUNTRIES WITHIN THE OECD'S FRAMEWORK. IT WILL NOT GIVE THE RIGHT NEITHER FOR THE PROGRAM'S BENEFITS NOT THE PARTICIPATION IN THE GROUP. A SPECIAL CONSULTATION PROCEDURE WILL BE SET UP WITH OTHER MEMEBR COUNTRIES OF THE OECD IN CASE OF CRISIS.

3. THE SPECIAL GROUP WOULD BE COMPOSED OF GOVERNMENT REPRESENTATIVES SPECIALLY ASSIGNED TO THIS PURPOSE AND WOULD MEET AT LEAST FOUR TIMES A YEAR. IF NECESSARY, THEY WOULD ALSO MEET AT THE MINISTERS LEVEL. CHAIRMANSHIP WOULD BE ANNUAL.

4A. (ADDED) THE GROUP WOULD HAVE TO CARRY OUT THE WORKING GROUP'S RECOMMENDATIONS CONCERNING THE ROLE OF FIRMS.

4B. THE GROUP IS RESPONSIBLE FOR WORKS CARRIED OUT IN

VIEW OF THE ACTION PROGRAM. IT WILL CARRY OUT ALL THE TASKS ASSIGNED BY THE PROGRAM AND IN THIS FRAMEWORK WILL BE ABLE TO INITIATE ALL NECESSARY STEPS FOR THE WELL-FUNCTIONING OF THE PROGRAM.

5. THE GROUP WILL SET UP A SUBSTITUTE COMMITTEE WHICH WILL MEET WHENEVER THIS NECESSARY FOR THE WELL-FUNCTIONING OF THE PROGRAM.

6. THE GROUP WILL SET UP A CRISIS MANAGEMENT COMMITTEE AND ANY OTHER TECHNICAL COMMITTEE NECESSARY FOR THE CARRYING OUT OF THE PROGRAM. WHEN ESTABLISHING THESE COMMITTEES THE GROUP WILL DEFINE THEIR TERMS OF REFERENCE AND THE GROUPS THAT WILL BE ASSIGNED TO THEM.

7. THE VOTING RULES WITHIN THE GROUP AND COMMITTEES WILL HAVE TO BE DEFINED IN THE GROUP ESTABLISHING ACT. DECISION SHOULD BE TAKEN UNANIMOUSLY, OR BY QUALIFIED OR THE SIMPLE MAJORITY DEPENDING ON THE SUBJECTS.

8. FINANCING. THE GROUP WORKING COSTS WILL BE BORNE
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BY THE PARTICIPANTS IN THE FRAMEWORK OF OECD'S SECOND BUDGET SECTION. CERTAIN PROJECTS COULD BE FINANCED ON AN AD HOC BASIS.

9. A PERMANENT SECRETARIAT HAVING A DISTINCT PERSONALITY AND WHOSE MEMBERS WOULD HAVE THE SAME STATUTE AS THE OECD OFFICIALS WOULD BE SET UP IN ORDER TO CARRY OUT THE TASKS ASSIGNED TO IT EITHER BY THE PROGRAM OR BY THE GROUP. IT WILL BE MANAGED BY AN EXECUTIVE MANAGER.

10. THE GROUP WILL SUBMIT A YEARLY REPORT ON ITS ACTIVITIES TO THE OECD'S BOARD IN ORDER TO KEEP THE BOARD INFORMED AND UP-TO-DATE ABOUT ITS ACTIONS.

11. THE GROUP WILL SEE TO IT THAT THE NECESSARY

TECHNICAL TASKS WILL BE CARRIED OUT WITHIN THE
EXISTING COMMITTEES OF THE OECD AS LONG AS THEY DO
NOT PRESENT ANY DANGER TO THE WELL-FUNCTIONING OF THE
PROGRAM.

12. THE GROUP BEING A PART OF OECD WILL BENEFIT OF
ALL PRIVILEGES AND IMMUNITIES OF THE ORGANIZATION AND
WITHIN THE FRAMEWORK OF THE PROGRAM TO BE HANDLED WITH
OTHER ORGANIZATION ON BEHALF OF OECD."

2. BELGIAN FOREIGN MINISTRY INFORMS US THAT TEXT
OF REVIEW CLAUSE NOT YET COMPLETED AND PROBABLY WILL NOT
BE CIRCULATED BEFORE CONFERENCE.FIRESTONE

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